

SECTION VI  
2014 DEPARTMENT ON AGING  
PROGRAM/SERVICE GUIDELINES

**A. Service Delivery Guidelines**

Applicants for Department on Aging funding to provide **Benefit Specialist/Legal Services Program** must comply with and incorporate the following Program/Service Guidelines.

Where indicated, applicants must include a description of how they will meet specific guidelines in the appropriate sections of Exhibit I.

**1. Program Activities and Requirements**

- a. Applicants must clearly demonstrate how their proposed program will provide Benefit Specialist/Legal Services to older adults using at least five paralegals, with supervision and consultation from an attorney as required unless a waiver is received from the Department on Aging. **(2.0 Program Summary)**
- b. Applicants must clearly demonstrate how they will provide training and education programs to both older adults to staff of community agencies in the areas of legal, benefit, financial, and other concerns of older adults. **(2.0 Program Summary)**
- c. Applicants must clearly demonstrate how they can carry out outreach and advocacy services, including but not limited to senior centers, nutrition sites, and other community organizations and facilities throughout Milwaukee County. Applicants must also demonstrate a functioning and accessible website. **(2.0 Program Summary)**
- d. Applicants must clearly demonstrate how they will deliver services to institutionalized, isolated and homebound older adults. **(2.0 Program Summary)**
- e. Applicants must clearly demonstrate how they will secure sources of funding to maintain the Benefit Specialist/Legal Services Program in addition to Department on Aging support. **(2.0 Program Summary)**
- f. Applicants must clearly demonstrate how they will maintain accurate monthly records of their proposed program activities. Separate fiscal reports will be submitted, indicating expenditures under each funding source. **(2.0 Program Summary)**
- g. Applicants must demonstrate how they will carry out the activities necessary to administer and maintain their proposed program. **(2.0 Program Summary)**
- h. Applicants must include a program flow chart, which shows the sequence and duration of program activities. **(2.0 Program Summary)**
- i. Applicants must clearly demonstrate how they plan to coordinate legal services to older adults with other legal resources in the community, including the private bar. **(2.0 Program Summary)**

j. Applicants must demonstrate a willingness to participate in the Neighborhood Services Delivery Model Project. Applicants should identify in the proposal the staff resources that will be made available for the Neighborhood Service Delivery Project. **(2.0 Program Summary)**

k. Applicants must indicate how they intend to provide legal services to non-English speaking and sensory impaired older adults. **(2.0 Program Summary)**

l. Applicants must clearly demonstrate a willingness to perform other activities that may be mutually agreed upon and included in the Department on Aging contract. **(2.0 Program Summary)**

m. Applicants must demonstrate the ability to provide legal services through experience and capacity to deliver legal assistance, including experienced staff and the capacity to provide:

1. Effective administrative and judicial representation;
2. Support to other advocacy efforts, including attendance at all Commission on Aging Advocacy Committee meetings
3. Legal services to institutionalized, isolated, and homebound older persons.

**(2.0 Program Summary)**

n. Applicant must comply with the restrictions and regulations of the Legal Services Corporation Act. **(2.0 Program Summary)**

o. The applicant must agree, if not a Legal Services Corporation project grantee, to coordinate its services with the existing Legal Services Corporation projects in the planning and service area in order to concentrate the use of funds to provide services to older people with social and economic need as specified in the Older Americans Act. **(2.0 Program Summary)**

p. Applicant must provide assurance that legal assistance services provided do not supplant existing legal services efforts. **(2.0 Program Summary)**

q. Applicant must provide assurance that as provider it will not engage in other legal activities that interfere with the provider's responsibilities under the Older Americans Act. **(2.0 Program Summary)**

r. Applicant must provide assurance that as provider it will not provide legal assistance in any fee generating case unless other adequate representation is unavailable or there is an emergency. **(2.0 Program Summary)**

s. Applicant must provide assurance that as provider it will not engage in prohibited political activities, lobbying, or other illegal activities. **(2.0 Program Summary)**

t. Applicant must provide assurance that as provider it will conform to the Statewide Standards for Wisconsin's Legal Assistance/Benefit Specialist Program. **(2.0 Program Summary)**

u. The applicant will, where feasible and appropriate, make arrangements for the availability of services in weather related emergencies. **(2.0 Program Summary)**

v. The applicant with the consent of the older person or his representative will bring to the attention of appropriate officials condition that places the older person in danger. **(2.0 Program Summary)**

w. Applicants must clearly describe their emergency plan for maintaining the provision of services to older adults through this program in the event of emergency. **(2.0 Program Summary)**

x. The applicant will meet all existing State and local licensing, health, and safety requirements for services provided under this program. **(2.0 Program Summary)**

y. The applicant will describe efforts to maintain and enhance the current volunteer program subcontracted through Interfaith Older Adult Programs, Inc. **(2.0 Program Summary)**

z. The applicant will describe efforts to arrange regular opportunities for communication and information exchange with the Information and Assistance staff of the Department on Aging. **(2.0 Program Summary)**

aa. The applicant will describe efforts to work cooperatively with the Milwaukee County Department on Aging Elder Abuse Unit, which is the lead elder abuse agency for Milwaukee County. **(2.0 Program Summary)**

ab. The applicant will describe efforts to develop collaborative interaction with other agencies and organizations in Milwaukee County such as Interfaith Older Adult Program, Inc. and others. **(2.0 Program Summary)**

ac. The applicant will provide the Department on Aging Information and Assistance Unit with enough brochures to include one in all mailings of that unit. **(2.0 Program Summary)**

ad. The applicant should develop a plan to utilize the health industry in outreach efforts. **(2.0 Program Summary)**

## **2. Unacceptable Program Activities**

a. Activities that are unrelated to carrying out the Department on Aging program contract. **(2.0 Program Summary)**

## **3. Initiation and Termination of Service**

a. Benefit Specialist/Legal Services will be initiated upon receiving a request from a Milwaukee County older adult. **(2.0 Program Summary)**

b. Benefit Specialist/Legal Services will terminate when the request for help has been resolved by the Program, referred to an appropriate agency, or when it is determined by the program that the request cannot be met. A client will be clearly informed when his or her case has been closed as well as the reason for the case closure. **(2.0 Program Summary)**

#### **4. Limitation on the Provision of Services**

Maximum number of contacts per client: no limit.

Maximum duration of service to client: no limit

Types of benefits/legal issues to be covered by the program will be described in the application.

**(2.0 Program Summary)**

#### **5. Eligible Clients**

a. All clients must be 60 years or older and live in Milwaukee County. **(2.0 Program Summary)**

b. All clients must be in need of benefit specialist/legal services as determined by the program staff and benefit/legal issues covered by the program. **(2.0 Program Summary)**

c. Priority for benefit specialist/legal services must be given to older adults who have the greatest economic and social need as defined by the Older Americans Act of 1965, as amended. **(2.0 Program Summary)**

"The term 'greatest economic need' means the need resulting from an income level at or below the poverty threshold established by the Bureau of Census. "

"The term 'greatest social need' means the need caused by non-economic factors which include physical and mental disabilities, language barriers, cultural or social isolation including that caused by social and ethnic status which restricts an individual's ability to perform normal daily tasks or which threaten his or her capacity to live independently."

#### **6. Generation of Clients**

Applicants must clearly demonstrate how they will generate eligible clients for the program.

**(2.0 Program Summary)**

#### **7. Service Delivery Follow-up**

a. Applicants must clearly demonstrate how they will provide timely follow-up to client requests. All follow-up procedures must be clearly defined. **(2.0 Program Summary)**

#### **8. Program Personnel, Training, and Equipment**

a. Applicants are expected to submit job descriptions for all positions receiving full or partial Department on Aging funds. **(Required Appendices 1, Job Descriptions)**

b. Recognition will be given to those programs that will employ or use volunteers 45 or over.

**(2.0 Program Summary)**

c. Personnel in programs receiving funds from sources in addition to the Department on Aging are expected to devote their staff time to Department on Aging program activities

as specified in the Department on Aging contract. Staff position and percentage of staff time dedicated to the program will be recorded. **(3.0 Program Staffing Information)**

d. The consulting attorney must have a valid license to practice law in Wisconsin and must have experience providing legal services to older adults. **(2.0 Program Summary)**

e. Full time paralegals must have at least one-year experience or equivalent in providing advocacy or benefit specialist services. **(2.0 Program Summary)**

f. Program volunteers must be directly supervised by paralegal staff and must consult the supervising attorney as needed unless under contract with another agency. **(2.0 Program Summary)**

g. Applicants must clearly indicate how persons providing the Benefit Specialist/Legal Services Program will receive initial training upon employment as well as further specialized training in the following areas:

1. Awareness of legal and financial needs of older adults.
2. Up to date information on benefit programs and other legal and financial issues affecting older adults.
3. Maintenance of accurate records of cases handled and actions taken.

**(2.0 Program Summary)**

## **9. Program Organization**

Applicants must clearly identify the individual within the program and/or agency who will be:

1. Solely responsible for the program.
2. Authorized to sign for the agency and the program.
3. Authorized to receive checks for the program.
4. Responsible for fiscal and budgetary matters.
5. Responsible for data reporting and monthly reporting forms.
6. Responsible for internal monitoring of the program.
7. Responsible for handling consumer and client complaints with respect to program activities.

**(2.0 Program Summary)**

## **10. Program Service Coordination**

a. Applicants must clearly demonstrate their ability to coordinate benefit specialist/legal services program activities with other services provided to older adults by the parent agency. Applicants must include a list of other services provided by the parent agency and describe how coordination will take place. **(2.0 Program Summary)**

b. Applicants must clearly demonstrate their ability to coordinate the program activities of other agencies providing services to older adults in Milwaukee County. Applicants must list all agencies that the organization will coordinate with and describe how coordination will take place. Linkage agreements are encouraged. **(2.0 Program Summary)**

## **11. Contributions**

Applicant agrees to provide all clients with the opportunity to make a voluntary contribution toward the cost of Benefit Specialist/Legal Services Program in accordance with prevailing Department on Aging policy. Contributions will be used for the Benefit Specialist/Legal Services Program enhancement. **(2.0 Program Summary) (Also See Section IV, Contribution Policy)**

## **12. Program Goals and Objectives**

a. Applicants must specify the program objectives and the methods and time frame to achieve objectives. The objectives should relate to the proposed program and services. The methods should specify the operational and quantitative steps to accomplish the objectives. The time frame should indicate when the objectives would be completed. **(2.0 Program Summary)**

Proposals for the Benefit Specialist/Legal Service Program must address the following program objectives:

1. Provision of individual advocacy and counseling services to Milwaukee County older adults in the areas of legal and financial concern.
2. Provision of group education about legal and benefit issues to senior citizens in the community.
3. Provision of training and technical assistance to other community organizations to enhance their efforts in offering education and advocacy services.
4. Facilitation of the involvement of the private bar in provision of legal services for older adults in the community.
5. Targeting particular legal/benefit problems, which have intensified, including elder abuse, consumer scams, patient rights in managed care plans, and other identified problems.
6. Provide expertise that indicates how independence may be compromised based on the status of long-term care and the burden this may inflict upon informal caregivers.

b. Measurable program objectives will be based upon historical performance for this program. Additional funding/staffing will increase program objectives proportionately. **(2.0 Program Summary)**

## **13. Reporting and Billing Requirements**

Providers must submit to the Department on Aging a monthly bill for services provided and any appropriate service reports by the fifth working day of each month unless a waiver is received from the Department on Aging. In addition to the Department on Aging service reports, the provider of the Benefit Specialist/Legal Services Program will be required to submit reports initiated by the State Bureau on Aging and Long Term Care Resources. **(2.0 Program Summary)**

## **15. Wisconsin State Bureau on Aging Definition of Benefit Specialist/Legal Services and Unit of Service**

Definition: Performance of activities, under the supervision of an attorney, which: provide an older person with accurate and current information on public benefit programs; assist them in organizing the paperwork and applying for benefits; identify alternative actions that can be taken to secure benefits or appeal denial of benefits; explain what legal action or other solution is required; and when necessary, refer the older person to an attorney to represent them on benefit matters. Specialists providing this service are trained and supervised by a regionally designated attorney. Individually focused services may be provided at the specialists office, at the home of the older person or by telephone; services may also be provided in group sessions.

Unit of Service: One (1) hour of service with one or more older persons to provide service as defined. Service to a group counts as service to an individual. Includes time used in investigation, preparation of materials and traveling to provide service; does not include time that a worker spends in conferences and training to improve own skills.

*Wisconsin State Bureau on Aging and Disability Resources*

## **16. Insurance Requirements**

Applicants must maintain minimum insurance coverage determined by the Milwaukee County Risk Manager in the following areas:

- (1) General liability,
- (2) Automobile liability,
- (3) Worker's compensation, including a waiver of subrogation;
- (4) Employee dishonesty; and
- (5) Milwaukee County listed as an additional insured

The Department on Aging will not award a contract unless the applicant secures adequate coverage, as defined by County, and provides certificate(s) of insurance that include all items listed above.